

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

**RYAN R. KINNERSON**

**CIVIL ACTION NO. 16-cv-720**

**VERSUS**

**JUDGE ELDON E. FALLON**

**ARENA OFFSHORE, LP,  
SPARROWS OFFSHORE, LLC and  
TEXAS CREW BOATS, INC.**

**MAG. JUDGE VAN MEERVELD**

**MOTION IN LIMINE/DAUBERT MOTION TO EXCLUDE REPORT,  
OPINIONS AND TESTIMONY OF PLAINTIFF'S EXPERT ECONOMIST AND  
VOCATIONAL REHABILITATION CONSULTANT**

Sparrows Offshore, LLC, Arena Offshore, LP, Paloma Energy Consultants, L.P. and SeaTran Marine, LLC (hereinafter collectively referred to as "Defendants"), respectfully move this Honorable Court for an Order excluding the report, opinions, and testimony of Glenn M. Hebert, Plaintiff's designated expert vocational rehabilitation consultant, and John W. Theriot, Plaintiff's designated expert economist, from the trial in this matter on the issues and topics discussed more fully in the attached memorandum.

Plaintiff's experts' opinions, reports, and testimony should be excluded because they are speculative, conjectural, and are not based on the facts in the record of this case. The opinions are not based on reliable methodology. Plaintiff's experts' opinions are, therefore, not in compliance with the evidentiary standards for expert testimony outlined in Rule 702 of the Federal Rules of Evidence and by the United States Supreme Court in *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579, 113 S.Ct. 786, 125 L.Ed. 469 (1993) and its progeny.

[SIGNATURES ON FOLLOWING PAGE]

Respectfully submitted,  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the above and foregoing has been filed electronically with the Clerk of Court and served upon all counsel of record using the Court's CM/ECF system.

Lafayette, Louisiana, this 10<sup>th</sup> day of May, 2019.

/s/ L. Lane Roy